

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILE

FEB 19 2014

Clerk, U.S. District Court
District Of Montana
Missouri

CV 12-00101-H-DLC-RKS

THOMAS MCGOVERN,

Plaintiff,

vs.

MIKE FERRITER, et al.,

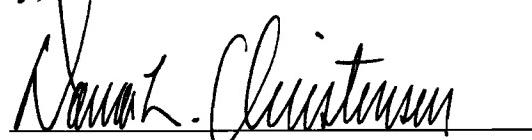
Defendants.

ORDER

Plaintiff Thomas McGovern has filed a Motion for Declaratory Judgment (Doc. 31) and a Motion for a Preliminary Injunction (Doc. 33.) When an inmate seeks injunctive or declaratory relief concerning the prison where he is incarcerated, his claims for such relief become moot when he is no longer subjected to those conditions. *Dilley v. Gunn*, 64 F.3d 1365, 1368 (9th Cir. 1995); *Johnson v. Moore*, 948 F.2d 517, 519 (9th Cir. 1991). Mr. McGovern's Complaint and Amended Complaint complain of conditions at Montana State Prison. Mr. McGovern is currently incarcerated at the Great Falls Regional Prison.

IT IS ORDERED that Mr. McGovern's Motion for Declaratory Judgment (Doc. 31) and Motion for Preliminary Injunction (Doc. 33) are denied as moot.

Dated this 19th day of February, 2014.


Dana L. Christensen, Chief Judge
United States District Court